

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I074616
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1. **TITLE:** Consent for Downshire Homes Ltd to dispose of two properties

2. **SERVICE AREA:** Adult Social Care, Health & Housing

3. **PURPOSE OF DECISION**

The purpose of the report is to seek consent from the Council to allow Downshire Homes Ltd to dispose of two properties. This is required in order to fulfil the terms of the loan agreement between the two parties.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive Member for Council Strategy and Community Cohesion

6. **DECISION:**

1 That the request from Downshire Homes Ltd to the disposal of 30 Sarum and 31 Gainsborough owned by Downshire Homes but subject to a charge from the Council ne approved with the Council to be refunded the full amount of the loans made related to these properties including for Stamp Duty.

2. That it be noted that the nomination agreement the Council has entered into with Places for People for the two properties provides 100% nomination rights for the next 15 years as well as a requirement to provide first refusal to the Council and Downshire Homes if Places for people do not enter into a further nomination agreement and wish to dispose of the properties.

7. **REASON FOR DECISION**

The Council has provided loan finance to Downshire Homes (DHL) for the purchase of residential property so as to meet housing needs nominated by the Council. The Council places a charge on each property to cover the loan provided which DHL is required to repay if the property is ever sold. The charge covers the costs incurred by DHL when purchasing a property. The charge also requires DHL to seek consent from the Council before a property is disposed of. The Council's current constitution and delegations do not cater for officers providing consent to DHL hence the need to request consent via this report.

NB: The decision has been taken under the Special Urgency procedure as tenants have already been identified to move into the properties if the disposal to Places for People takes place on the 12th February 2018. If the disposal does not take a place a severely disabled young man will be homeless as he is being required to leave his current home on that day. The disruption of moving into temporary accommodation while a permanent home is found would have a significant impact on his wellbeing due to his disability.

8. ALTERNATIVE OPTIONS CONSIDERED

The Council could withhold consent for the disposal of the two properties. However, the two properties are required to meet the needs of people with learning disabilities and or autism and if they are not sold by Downshire Homes to the registered provider Places for People those people will face homelessness or expensive residential settings, neither of which would be in the Council's interests.

9. PRINCIPAL GROUPS CONSULTED: Not applicable

10. DOCUMENT CONSIDERED: Report of the Director of Adult Social Care, Health & Housing

11. DECLARED CONFLICTS OF INTEREST: None.

Date Decision Made
12 February 2018